

**Filed 3/20/09 by Clerk of Supreme Court**  
**IN THE SUPREME COURT**  
**STATE OF NORTH DAKOTA**

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2009 ND 25

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Interest of R.M.

Shelly Paul,

Petitioner and Appellee

v.

R.M.,

Respondent and Appellant

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No. 20090084

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Appeal from the District Court of Burleigh County, South Central Judicial District, the Honorable Bruce A. Romanick, Judge.

REVERSED.

Per Curiam.

Jeffrey R. Ubben (on brief), Assistant State's Attorney, Courthouse, 514 E. Thayer Ave., Bismarck, ND 58501, for petitioner and appellee.

Gregory I. Runge (on brief), 1983 E. Capitol Ave., Bismarck, ND 58501, for respondent and appellant.

**Interest of R.M.**

**No. 20090084**

**Per Curiam.**

[¶1] R.M. appealed from an order finding R.M. to be a person who is mentally ill under N.D.C.C. § 25-03.1-02(10), a person who requires treatment under § 25-03.1-02(11)(c)&(d), and a person who requires involuntary medication treatment under § 25-03.1-18.1. The district court ordered R.M. to be hospitalized at the North Dakota State Hospital for a period not to exceed ninety days, and ordered R.M. be involuntarily treated with medication.

[¶2] The petition for commitment alleges that R.M. had engaged in self-destructive conduct which made him a threat to his own safety and the safety of others. The appellee-petitioner has conceded there is insufficient evidence in the record before this Court to prove R.M. is a person requiring treatment. We summarily reverse under N.D.R.App.P. 35.1(b).

[¶3] Gerald W. VandeWalle, C.J.  
Mary Muehlen Maring  
Carol Ronning Kapsner  
Daniel J. Crothers  
Dale V. Sandstrom